BILL NO. Z-83-08-09

ZONING MAP ORDINANCE NO. Z-10-83

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-1 (Light Industrial) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

West ½ of Lot #9 Chute & Prince Addition

and the symbols of the City of Fort Wayne Zoning Map No. L-2, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and the legal publication thereof.

James L Stier
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Stier, seconded by Gia Quinta, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock V.M.,E.S.T.

DATE: 8-9-83 Sandra E. Kennedy
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Gia Quinta, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9				
BRADBURY	✓				
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
SCHMIDT	✓				
SCHOMBURG	✓				
SCRUGGS	✓				
STIER		✓			
TALARICO	✓				

DATE: 9-13-83 Sandra E Kennedy
- CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) ~~(GENERAL)~~ ~~(ANNEXATION)~~ ~~(SPECIAL)~~ ~~(APPROPRIATION)~~ ORDINANCE ~~(RESOLUTION)~~ NO. 3-10-83 on the 13th day of Sept, 1983.

ATTEST: (SEAL)

Sandra E. Kennedy
CITY CLERK

Bay A Esbart
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of Sept., 1983, at the hour of 11:30 o'clock P.M.,E.S.T.

Sandra E. Kennedy
CITY CLERK

Approved and signed by me this 23rd day of Sept. 1983, at the hour of 2 o'clock P.M.,E.S.T.

Winfred K
WIN MOSES, JR. - MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Bushey & Son Aluminum Center, Inc.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an M-1 District the property described as follows:

West ½ lot no. 9 Chute & Prince addition.

We are tearing down an old house next to our currentx building at 1701 Fairfield Ave. that is a threat to our building because it sits within two feet of the 1701 Fairfield building. We intend to fence in the vacant lot and leave it as is.

(Legal Descrption) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Alfred Bushey	10021 Maysville Rd	Alfred Bushey
James E. Bushey	10218 Winchester Rd.	James E. Bushey

(If additional space is needed, use reverse side.)

Legal Description checked by _____.

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinanc being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matte for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Alfred Bushey	10021 Maysville Rd 46819	639 3272

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearin, approximately ten (10) days prior to the meeting.

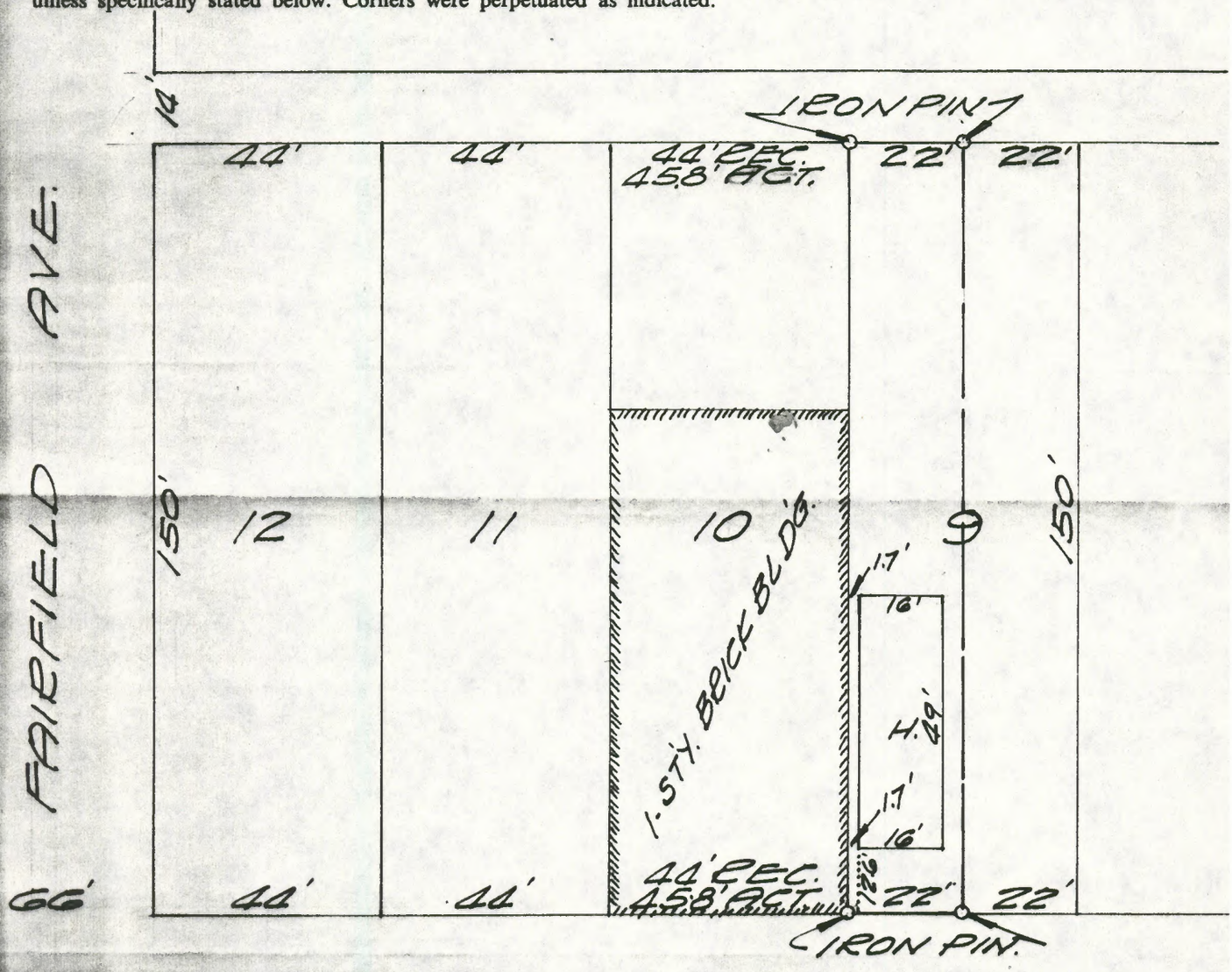
2710 GAY ST.

VERLE J. WAGNER
REGISTERED LAND SURVEYOR
FORT WAYNE, INDIANA

PHONE K-5216

Certificate of Survey

This document is a certificate that the undersigned Registered Land Surveyor, registered under the laws of Indiana, has made a survey of WEST ½ LOT No. 9, CHUTE & PRINCE ADDITION. LINES WERE RE-ESTABLISHED TO CONFORM WITH SURVEY MADE NOV. 8, 1949, AND REC. IN PLAT RECORD 18, PAGE 133, CO. RECORDER'S OFFICE in accordance with the plat thereof on file in the Allen County Recorder's Office, Fort Wayne, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.



66' BASS ST.

Recertified 7/21/1981.

Verle J. Wagner

I hereby certify above survey to be correct.

Surveyed 2/24/59.

Verle J. Wagner
REGISTERED LAND SURVEYOR IND. NO. 4351

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No.Z-83-08-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 15, 1983;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantiall adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commissio held August 22, 1983.

Certified and signed this
25th day of August, 1983.

Stephen A. Bailey
Secretary

BILL NO. Z-83-08-09

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-2

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE do PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GiaQUINTA

ROY J. SCHOMBURG

Received in 9-13 Sandra E. Kennedy

PRESCRIBED BY STATE BOARD OF ACCOUNTS — A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 221

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

№ 9010

FT. WAYNE, IND., 7/8 19 83

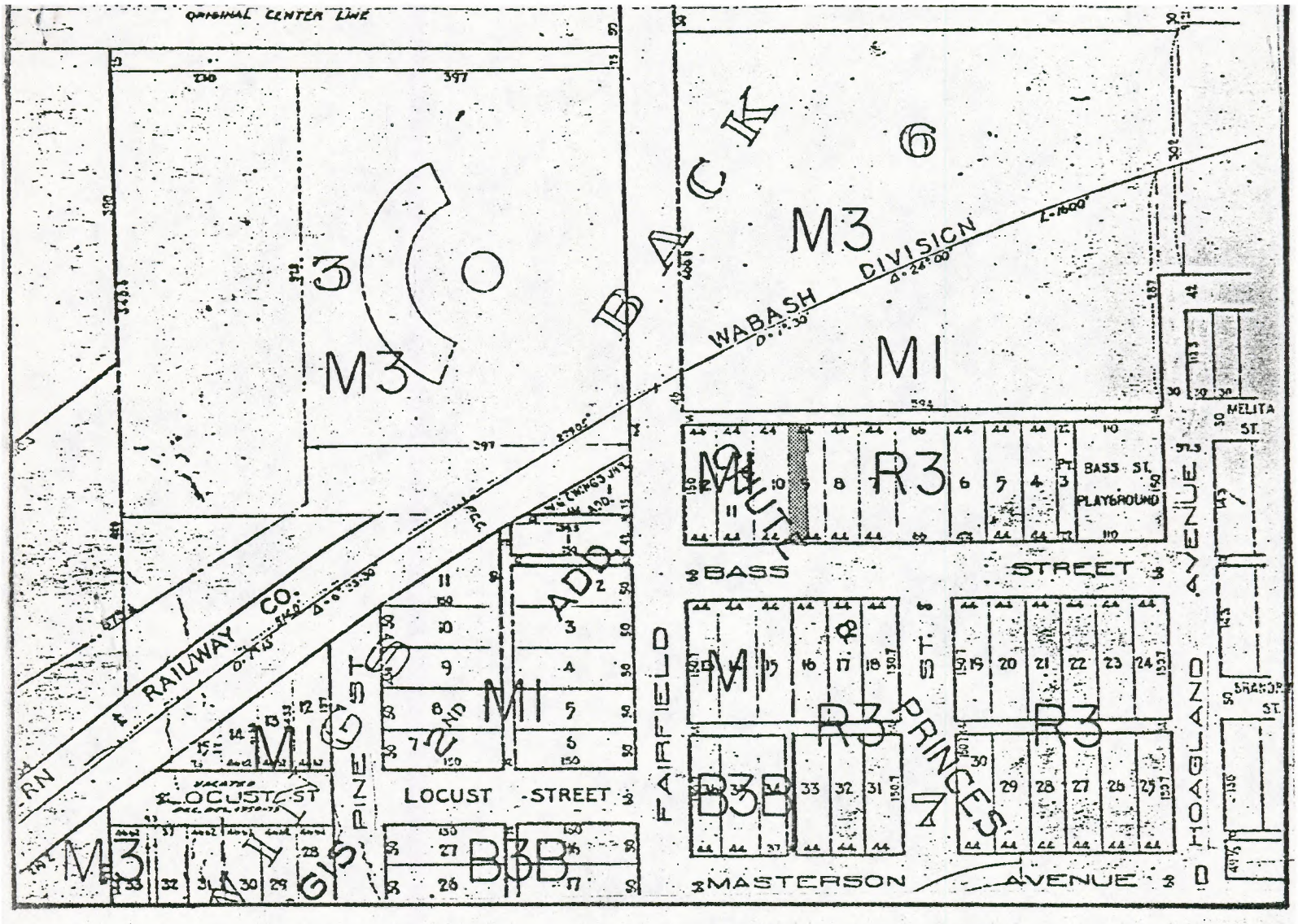
RECEIVED FROM Bushey & Son Aluminum Co. $ 50.00

THE SUM OF Fifty and 00/100 DOLLARS
100

ON ACCOUNT OF Bass St. Rezoning
from R-3 to M-1

CK 08963

Katie Schaefer
AUTHORIZED SIGNATURE



A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM A R-3 TO A M-1 DISTRICT.

N

MAP NO. L-2

Z-83-08-09

L. WHITT 7-14-83

The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

25 August 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 22, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-08-09

2. From: R-3 to M-1

3. Intended Use: Expansion of Bushey & Son Aluminum Center, Inc.

4. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   REASON: The approval of this request will not be injurious to the public health, safety, morals, and general welfare of the community.

If there are any questions with regard to this ordinance, feel free to call on us.

Respectfully submitted,

Gary F. Baeten

Gary F. Baeten, Senior Planner

GFB:pb

Attachments

ORIGINAL

DIGEST SHEET

Admn. Appr. _____

6386

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-83-08-09

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE West ½ of Lot #9 Chute & Prince Addition.

EFFECT OF PASSAGE Property is now zoned R-3 - Multiple Family Residential.
Property will become M-1 - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____